

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TARA ANDERSON	:	CIVIL ACTION
	:	
v.	:	
	:	
AFNI, INC.	:	NO. 10-4064

ORDER

AND NOW, this 11th day of May, 2011, upon consideration of plaintiff Tara Anderson's complaint (docket entry # 1), defendant AFNI, Inc.'s answer to complaint (docket entry # 3), plaintiff's motion for partial summary judgment (docket entry # 16), defendant's response in opposition thereto (docket entry # 18), and plaintiff's reply in support of her motion (docket entry # 24), and defendant's motion for summary judgment (docket entry # 17), plaintiff's response in opposition thereto (docket entry # 19), defendant's reply in support of its motion (docket entry # 22), and defendant's supplement in support of its motion (docket entry # 23), and upon the analysis set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. Plaintiff Tara Anderson's motion for partial summary judgment (docket entry # 16) is DENIED;

2. Defendant's AFNI, Inc.'s motion for summary judgment (docket entry # 17) is GRANTED IN PART;

3. Counts I and II of the Complaint are DISMISSED

WITH PREJUDICE;

4. The Court having declined, under 28 U.S.C. § 1367(c)(3), to exercise its supplemental jurisdiction, Count III of the Complaint is DISMISSED WITHOUT PREJUDICE; and

5. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

___\s\Stewart Dalzell